

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-12 are pending in the present application. Claims 1-4 have been amended and claims 5-12 have been added by the present invention.

In the outstanding Office Action, claims 1-4 were rejected under 35. U.S.C. § 101; and claims 1-4 were rejected on the ground of nonstatutory obviousness double patenting as unpatentable over claims 1, 2 and 4-6 of U.S. Patent No. 6,701,059.

Regarding the 35. U.S.C. § 101 rejection, it is respectfully noted claim 1 has been amended to recite a computer-readable medium including digital data streams recorded by a recording apparatus in light of the comments noted in the Office Action. Accordingly, it is respectfully requested this rejection be withdrawn.

Further, regarding the double patenting rejection, enclosed is a terminal disclaimer. Accordingly, this rejection is moot.

In addition, new claims 5-12 have been added to set forth the invention in a varying scope, and Applicants respectfully submit the new claims are supported by the originally-filed specification. In more detail, new claims 5-8 are method claims and claims 9-12 are apparatus claims corresponding to claims 1-4.

Further, in claims 1-4, the term “sector” has been changed to “recording unit” to more clearly correspond with a digital data stream being recorded on the computer-readable medium. The term “digital transport stream” has also been appropriately changed to “digital data unit.” The phrase “each data unit having a predetermined length that is different than a length of a

recording unit" has also been added to claim 1 to more clearly recite the differences between the recording unit and the data unit.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.


It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Mr. David Bilodeau (Registration number #42, 325) at (703) 205-8072 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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